

### THE REMARKS

Claims 1-38 were pending prior to entering the amendments.

#### The Amendments

Independent claims 1, 8, 15 and 22 have been amended. Dependent claims 2, 5-7, 9, 12-14, 19 and 25 have been amended. Support for these amendments is as follows:

Claims 1, 8, 15 and 22 - page 5, lines 15-21; additionally, claims 15 and 22 draw support from a conversation with the Examiner.

Claims 2 and 9 - page 9, lines 3-4

Claims 5 and 12 - page 8 lines 28-30 and page 9 lines 1-2

Claims 6, 13 and 19 - page 8, lines 10-15

Claims 7, 14 and 25 - page 6, lines 9-12

No new matter is introduced in any of the above amendments. The Examiner is requested to enter the amendment and re-consider the application.

#### 35 U.S.C. Rejection

##### Independent Claim 1, 8, 15 and 22; dependent claims 2-7, 9-14, 19 and 25

Claims 1-15, 19, 22 and 25 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Guy, *et al.* (2005/0114473) in view of Rager, *et al.* (5412721).

Claim 1 has been amended to incorporate the following limitation:

“wherein the network component is located in a secure environment comprising security for both physical access and network communications.”

Neither Guy nor Rager disclose a secure environment from a physical access perspective. Guy discusses the importance of license control based upon a centrally controlled server (Guy para. [0008]). Rager discloses systems to secure data in communication communications. (Ragar Abstract). But neither references the element of securing physical access. Further, none of the other secondary references discuss physical security, considered singly or in combination.

Claim 8 is a method claims with the same elements as amended claim 1. Therefore, the aforementioned arguments for amended claim 1 also apply to amended claim 8. Accordingly, the Applicant respectfully asserts that amended claims 1 and 8 are allowable claims.

Claims 15 and 22 have been amended to incorporate the disclosure that the “device is a wireless access point (AP)”. Prior to the introduction of the Ragor reference, the Examiner communicated to the Applicant that the independent claims would be patentable if the limitation of the wireless access point was added to these claims. (Reference phone call between R. Laurenson, Howrey and the Examiner, July 30, 2008). Hence, claims 15 and 22 were considered patentable before the Ragor reference was cited. Accordingly, the Applicant has also amended claims 15 and 22 to add the limitation of physical security. Ragor does not address the element of physical security. Therefore, the Applicant respectfully asserts that claims 15 and 22 are allowable claims.

Relative to dependent claims 2 and 9, these claims have been amended to incorporate the limitation, “wherein the software image and the configuration information are bundled with self-extracting switch software.” Neither Guy nor Rager disclose self-extracting switch software. Further, none of the other secondary references discuss this element, considered singly or in combination. Accordingly, the Applicant respectfully asserts that amended claims 2 and 9 are allowable claims.

Relative to claims 5 and 12, these claims have been amended to incorporate the limitation that LAN switch comprising a server utilizing Simple Network Management Protocol (SNMP). The Applicant describes a system comprising an AgentX server. AgentX is a computer networking protocol used as a standardized framework for extensible Simple Network Management Protocol agents and the procedure by which those agents process SNMP protocol messages. (<http://www.scguild.com/agentx/> - IETF Agentx Working Group). Neither Guy nor Rager disclose an AgentX server or even the use of SMNP. Further none of the other secondary references discuss this element, considered singly or in combination. Accordingly, the Applicant respectfully asserts that amended claims 5 and 12 are allowable claims.

Relative to claims 6, 13 and 19, these claims have been amended to incorporate the limitation that a network device “provides network access to a voice over IP phone, wherein the voice over IP phone stores configuration data and software images in volatile memory.” Neither Guy nor Rager disclose a VOIP phone or similar technology. Further, none of the other secondary references discuss this element, considered singly or in combination. Accordingly, the Applicant respectfully asserts that amended claims 6, 13 and 19 are allowable claims.

Relative to claims 7 and 14, these claims have been amended to incorporate the limitation that the “network device is powered by a network cable using Power over Ethernet (PoE).” Neither Guy nor Rager disclose Power over Ethernet (PoE). Further none of the other secondary references discuss this element, considered singly or in combination. Accordingly, the Applicant respectfully asserts that amended claims 7 and 14 are allowable claims.

Claims 3-4, 10-11 and 25 are indirectly dependent on amended claims 1, 8, or 22. The Applicant respectfully asserts that claims 3-4, 10-11 and 25 are allowable at least based on an allowable base claim.

Dependent Claims 16-18 and 23-24

Claims 16-18 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guy, *et al.* (2005/0114473) in view of Rager, *et al.* (5,412,721) and further in view of Loison, *et al.* (2003/0046529).

Claims 16-18 and 23-24 are indirectly dependent on amended claims 15 or 22. The Applicant respectfully asserts that claims 16-18 and 23-24 are allowable at least based on an allowable base claim.

Dependent Claims 20-21 and 26-28

Claims 20-21 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guy, *et al.* (2005/0114473) Rager, *et al.* (5,412,721) and further in view of Nessett, *et al.* (6,766,453).

Claims 20-21 and 26-28 are indirectly dependent on amended claims 15 or 22. The Applicant respectfully asserts that claims 20-21 and 26-28 are allowable at least based on an allowable base claim.

**CONCLUSION**

Applicants believe that the application is now in good and proper condition for allowance. Early notification of allowance is earnestly solicited.

Respectfully submitted,

  
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